

CHAPTER 11-32 MEMORIALS

11-32-01. County commissioners authorized to erect a memorial or memorials or other suitable recognition - To make levy.

1. The board of county commissioners of any county in this state is hereby authorized to erect a memorial or memorials, or other suitable recognition, in commemoration of the people of the county who rendered services, or who lost their lives in the service of their country during a period of service as defined in section 37-01-40. The board may for such purpose use funds out of the general fund of the county if there is sufficient moneys in said fund, or use funds heretofore raised by tax levy for such memorial or memorials. The board may use for memorial purposes funds donated to the county for that purpose, or may use for such purpose funds out of the general fund of such county, if there is sufficient money in said fund, in conjunction with the funds so donated or obtained by such levy and tax, and the proceeds of such levy, tax, and donations, together with the amount taken out of the general fund, shall be used solely for the purpose of erecting such memorial or memorials, or other suitable recognition.
2. Nothing herein contained shall be construed to prohibit said board from expending any additional moneys derived from sources other than taxation. Such memorial or memorials, or other suitable recognition, shall be erected within the county at a place determined upon by such board and when erected, shall be properly and permanently maintained. The board may provide for such maintenance or erection by necessary expenditures from the general fund of the county or from funds donated to the county therefor or from either or both such funds, or may enter into a written agreement with any public or private nonprofit agency or corporation for the assumption of part or all of such responsibility by such agency or corporation. Pursuant to such agreement, the county may acquire or divest itself of any title to or jurisdiction over such memorial or other suitable recognition.

11-32-02. A memorial fund created - How expended. Funds provided to be raised in accordance with section 11-32-01 shall be designated as the memorial fund and shall be kept separate and distinct from other moneys by the county treasurer and shall be expended by and under the direction and control of the board of county commissioners. The board may expend such funds at such times as it may determine and is authorized to make an allocation of any or all funds to be raised by the memorial levy for any purpose authorized by this chapter.

On or after January 1, 1960, the board may transfer all unexpended balances in the memorial fund to the county general fund if there is then no existing memorial levy and if such unexpended balance has not been pledged or appropriated for a memorial.

11-32-03. May join with cities, school districts, and other agencies in erection and operation. The board of county commissioners, in carrying out the provisions of sections 11-32-01 and 11-32-02, may join with a city, school district, or other public or private nonprofit corporation or agency, or any or all of same, in the erection and operation of said memorial, or memorials, or other suitable recognition in any proportion deemed advisable by said board. Said board in conjunction with the other cooperating body or bodies may provide for the operation and administration of said memorial, memorials, or other suitable recognition. In the event that a school building, gymnasium, or other school-related building is constructed by a school district and wholly or partially financed through moneys from the memorial fund created by this chapter, and, due to a reorganization of such school district, is transferred to another school district, such other school district shall be authorized to sell and transfer title to such building in the same manner provided by law notwithstanding the provisions of chapter 11-32.